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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:) Case No. 12-12020 (MG)
RESIDENTIAL CAPITAL, LLC, et al.,) Chapter 11
Debtors.) Jointly Administered
)

**CERTIFICATE OF NO OBJECTION REGARDING THE SECOND
MOTION OF THE RECAP LIQUIDATING TRUST FOR ENTRY OF AN
ORDER APPROVING THE DESTRUCTION OF OBSOLETE RECORDS**

Pursuant to 28 U.S.C. § 1746 and Rule 9075-2 of the Local Rules of the United States Bankruptcy Court for the Southern District of New York, and in accordance with the *Order Under Bankruptcy Code Sections 102(1), 105(a) and 105(d), Bankruptcy Rules 1015(c), 2002(m) and 9007 and Local Bankruptcy Rule 2002-2 Establishing Certain Notice, Case Management and Administrative Procedures* [ECF No. 141], the undersigned hereby certifies as follows:

1. On April 16, 2021, the ResCap Liquidating Trust filed the *Second Motion of the ResCap Liquidating Trust for Entry of an Order Approving the Destruction of Obsolete Records* [ECF No. 10709] (the “Motion”). The hearing on the Motion is scheduled for May 13, 2021 at 11:00 a.m. (prevailing Eastern Time).

2. The Motion set forth that objections to the Motion were to be filed and served so that they were actually received no later than April 26, 2021 at 4:00 p.m. (prevailing Eastern

Time).

3. The undersigned hereby certifies that, as of the date hereof, no objection to the Motion has been received. Undersigned counsel further certifies that he has reviewed the docket in this case and no answer, objection or other response to the Motion appears thereon.

4. In accordance with Local Rule 9075-2, this certificate is being filed at least forty-eight (48) hours after expiration of the deadline for parties to file and serve any objection or responsive pleading to the Motion.

5. Accordingly, the ResCap Liquidating Trust respectfully requests that the Court enter the proposed order granting the Motion, a copy of which is attached hereto as Exhibit A.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 28, 2021
New York, New York

KRAMER LEVIN NAFTALIS & FRANKEL LLP

/s/ Joseph A. Shifer
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EXHIBIT A

Proposed Order

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	Case No. 12-12020 (MG)
)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,)	Chapter 11
)	
Debtors.)	Jointly Administered
)	

SECOND ORDER APPROVING THE DESTRUCTION OF OBSOLETE RECORDS

Upon the motion (the “**Motion**”)¹ filed by the ResCap Liquidating Trust (the “**Liquidating Trust**”), as successor in interest to the debtors (collectively, the “**Debtors**”) in the above-captioned cases (the “**Chapter 11 Cases**”), seeking authority to destroy certain obsolete records and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§157 and 1334 and the Amended Standing Order of Referral of Cases to Bankruptcy Court Judges of the District Court for the Southern District of New York, dated January 31, 2012 (Preska, C.J.); and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. §§ 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided, and no other or further notice need be provided; and the relief requested in the Motion being in the best interests of the Liquidating Trust, the Liquidating Trust’s beneficiaries, and the Debtors; and the Court having determined that the legal and factual bases set forth in the Motion and the Horner Declaration establish just cause for the relief granted herein; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor;

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

IT IS HEREBY ORDERED THAT:

1. The Motion is granted as provided herein.
2. The Liquidating Trust is authorized to abandon, dispose of and/or destroy the Obsolete Records as set forth in the Motion.
3. The Liquidating Trust shall take commercially reasonable steps to assure that books, records and other documents that do not constitute Obsolete Records are retained and preserved in accordance with the terms of the Liquidating Trust Agreement and applicable law.
4. The Liquidating Trust and its agents, delegates and professionals shall have no liability whatsoever arising from or relating to any abandonment, disposal or destruction of the Obsolete Records pursuant to the terms of this Order.
5. The Court shall retain jurisdiction relating to the interpretation and implementation of this Order.

Dated: _____, 2021
New York, New York

UNITED STATES BANKRUPTCY JUDGE